IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS AUSTIN DIVISION

BANDSPEED, INC.,

Plaintiff,

v.

GARMIN INTERNATIONAL, INC.;
GARMIN USA, INC.; LG ELECTRONICS,
INC.; LG ELECTRONICS U.S.A., INC.; LG
ELECTRONICS MOBILECOMM U.S.A.,
INC.; MOTOROLA SOLUTIONS INC.
FNA MOTOROLA, INC.; MOTOROLA
MOBILITY INC.; BLACKBERRY
LIMITED; BLACKBERRY
CORPORATION; TOSHIBA
CORPORATION; TOSHIBA AMERICA
INFORMATION SYSTEMS, INC.; AND
TOSHIBA AMERICA, INC.

Defendants

CASE NO. 1:11-CV-00771

ORDER GRANTING BANDSPEED, INC.'S MOTION FOR SUMMARY JUDGMENT ON DEFENDANTS' AFFIRMATIVE DEFENSES AND COUNTERCLAIMS

On this date came to be heard Plaintiff Bandspeed Inc.'s Motion for Summary Judgment on Defendants' Affirmative Defenses and Counterclaims ("Motion").

Having considered the Motion and any responses thereto, the Court is of the opinion that the Motion should be GRANTED.

It is therefore ORDERED that Bandspeed's Motion is GRANTED.

It is further ORDERED that Summary Judgment is entered for Bandspeed on Defendants' affirmative defenses of license, waiver, equitable estoppel, promissory estoppel, laches, unclean hands, patent misuse, and marking.

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It is further ORDERED that Summ	ary Judgment is entered for Bandspeed on
Defendants' counterclaims seeking a Decla	ratory Judgment that the patents-in-suit are
unenforceable.	
SIGNED this day of	, 2014.
	LEE YEAKEL UNITED STATES DISTRICT JUDGE